

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELIJAH MANDERS and LAUREN GARVEY,)

Plaintiffs,)

-against-)

THE CITY OF NEW YORK; MICHAEL)

BLOOMBERG, Mayor of the City of New York;)

RAYMOND KELLY, New York City Police)

Commissioner; STEPHEN HAMMERMAN,)

Former Deputy Commissioner for Legal Matters,)

New York City Police Department; DAVID)

COHEN, Deputy Commissioner for Intelligence,)

New York City Police Department; THOMAS)

DOEPFNER, Assistant Deputy Commissioner for)

Legal Matters, New York City Police Department;)

NYPD LIEUTENANT DANIEL ALBANO; NYPD)

DEPUTY INSPECTOR KERRY SWEET, NYPD)

Legal Bureau Executive Officer; NYPD Legal)

Bureau Senior Counsel RUBY MARIN-JORDAN)

NYPD LEGAL BUREAU SUPERVISOR(S) AT)

PIER 57; JOSEPH ESPOSITO, Chief of the New)

York Police Department; THOMAS GRAHAM,)

Commander, Disorder Control Unit, New York City)

Police Department; JACK MCMANUS, Assistant)

Chief, New York City Police Department; BRUCE)

SMOLKA, former Commander, Patrol Borough)

Manhattan South, New York City Police)

Department; TERENCE MONAHAN, Assistant)

Chief of the Bronx Borough Command; JOHN J.)

COLGAN, Assistant Chief, New York City Police)

Department; NYPD INSPECTOR KEVIN WARD;)

NYPD INSPECTOR THOMAS DIRUSSO; NYPD)

LIEUTENANT BERGQUIST; NYPD SERGEANT)

WILLIAM MURPHY; POLICE OFFICER)

EDWARD YOUNG, Shield No. 29580; JOHN)

DOES; RICHARD ROES; HUDSON RIVER PARK)

TRUST,)

Defendants.)

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PROOF OF SERVICE

ECF CASE

07 Civ. 7752 (RJS)(JCF)

STATE OF NEW YORK)
)ss.:
COUNTY OF NEW YORK)

I, Jeffrey A. Rothman, being an attorney duly admitted to practice before this court and the courts of the State of New York, hereby affirm under the penalties of perjury:

I am not a party to this action, I am over 18 years of age and I am self-employed as an attorney at 315 Broadway, Suite 200; New York, New York, 10007.

On December 31, 2007, approximately 2:02 p.m., at the New York City Police Department Firearm Suppression Division, 104 E. 107th Street, New York, NY 10029, I served the Summons and Complaint upon INSPECTOR THOMAS DIRUSSO, a defendant therein named, by personally delivering and leaving at his actual place of business with Lieutenant Michael Leahy, a person of suitable age and discretion who accepted the papers on his behalf, a true copy or copies of the aforementioned documents. On January 4, 2008, I then mailed a copy of the aforementioned documents to INSPECTOR THOMAS DIRUSSO, a defendant therein named, at the New York City Police Department Firearm Suppression Division, 104 E. 107th Street, New York, NY 10029, his actual place of business, via first class mail, proper postage affixed to a sealed envelope bearing the legend "personal and confidential" and not indicating on the outside thereof in any manner that the communication is from an attorney or concerns an action against the person to be served.

On December 31, 2007, approximately 1:12 p.m., at the New York City Police Department Disorder Control Unit, 1278 Sedgwick Avenue, Bronx, NY 10452, I served the Summons and Complaint upon CHIEF THOMAS GRAHAM, a defendant therein named, by personally delivering and leaving at his actual place of business with Police Officer Anderson, Shield No. 10139, a person of suitable age and discretion who accepted the papers on his behalf, a true copy or copies of the aforementioned documents. On January 4, 2008, I then mailed a copy of the aforementioned documents to CHIEF THOMAS GRAHAM, a defendant therein named, at the New York City Police Department Disorder Control Unit, 1278 Sedgwick Avenue, Bronx, NY 10452, his actual place of business, via first class mail, proper postage affixed to a sealed envelope bearing the legend "personal and confidential" and not indicating on the outside thereof in any manner that the communication is from an attorney or concerns an action against the person to be served.

January 4, 2008


Jeffrey A. Rothman, Esq.